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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/671,781

09/29/2003

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EXAMINER

JERABEK, KELLY L

ART UNIT

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/671,781	<b>Applicant(s)</b> KINJO, NAOTO	
	<b>Examiner</b> KELLY L. JERABEK	<b>Art Unit</b> 2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 29 January 2009.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 2-24 is/are pending in the application.
- 4a) Of the above claim(s) 16-24 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                       | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Election/Restrictions***

Applicant's election without traverse of species I corresponding to claims 2-15 in the reply filed on 1/29/2009 is acknowledged.

Claims 16-24 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 1/29/2009.

### ***Information Disclosure Statement***

The information disclosure statement (IDS) submitted on 2/27/2009 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

### ***Response to Arguments***

Applicant's arguments filed 9/5/2008 have been fully considered but they are not persuasive.

**Response to Remarks:**

Applicant's arguments regarding claims 2 and 4 (amendment pages 10-12) state that the Takeshi reference neither teaches nor suggests an image information transmission means which transmits information to a plurality of data processing devices. The applicant maintains that the Takeshi reference discloses a one-to-one communication link between only two total units, one unit being the camera and the other unit being one external storage unit. The Examiner respectfully disagrees. The Takeshi reference discloses that the image information transmission means (6) of the digital camera transmits the image information to a plurality of data processing devices (8), **wherein each of the data processing devices (8) operates independently of each other (the external storage device 8 may be various PCs, PDAs or cellular telephones). Additionally, Takeshi states that the photography device (camera) and the remote data processing devices have identification information (ID numbers) unique to the devices in order to certify a connection partner before transmitting or receiving image data to prevent transmitting image data to a wrong transmission partner (page 4, paragraph 51). Thus, it can be seen that the digital camera is capable of transmitting information to a plurality of data processing devices (8).**

Applicant's arguments regarding claims 5 and 7 (Amendment pages 12-13) state that the Cohen reference fails to disclose a data processing device that classifies

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encoded image information for each piece of identification information and stored the classified encoded image information in a storage means. The Examiner respectfully disagrees. **Cohen discloses a data processing device (100) that classifies encoded image information (user identifier process is used as a mechanism for transmitting information that can be used to localize the image data in a predefined server storage location or data folder) for each piece of the identification information and stores the classified encoded image information in the storage means (180) (page 6, paragraphs 67 and 70).**

Applicant's arguments regarding claims 3 and 4 (amendment pages 13-14) state that the combination of the Takeshi, Cohen and Sato references fails to disclose a plurality of photography devices that operate independently of each other. The Examiner respectfully disagrees. Cohen discloses a photography system including a photography device (10) and a portable data processing device (100) for receiving and storing images captured by the photography device (10) (page 3, paragraph 39- page 4, paragraph 45). Cohen states that the portable data processing device (100) is formed separately from the photography device (10) and is capable of encoding (the digitized data stored in the DDTS device 100 is converted into an appropriate form for further transmission and is compressed for storage) and storing the image information acquired by the photography device (10) (page 3, paragraph 39-page 4, paragraph 45; page 6, paragraphs 65 and 70). **Additionally, Cohen states that the data processing device (100) may receive image information from a plurality of photography devices (10)**

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**(page 5, paragraph 59). The Examiner maintains that the plurality of photography devices (10) that are capable of being controlled by the data processing device (100) disclosed by Cohen are photography devices (10) that operate independently of each other because each of the plurality of cameras corresponds to a specific user ID and each of the plurality of cameras is capable of capturing its own digital images. Therefore, the Examiner maintains that the plurality of photography devices (10) that are capable of being controlled by the data processing device (100) disclosed by Cohen are photography devices (10) that operate independently of each other.**

Applicant's arguments regarding claim 8 (amendment pages 13-14) are the same as the arguments regarding claim 2 above therefore the response regarding claim 2 above also applies to claim 8.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 2-7 and 9-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takeshi US 2002/0158970 in view of Cohen et al. US 2002/0108118 and further in view of Sato US 2001/0017652.**

Re claim 2, Takeshi discloses a photography system comprising: a photography device (electronic pickup camera) for taking photographs of photographic objects and acquiring image information (page 3, paragraphs 38-40; figure 1); and a portable data processing device (8) formed separately from the photography device (camera) for storing image information acquired by the photography device (camera), wherein the photography device (camera) includes image information transmission means (6) that directly transmits acquired image information to the data processing device directly (information is transmitted to communication unit 9 of PDA 8); and the image information transmission means (6) transmits the image information to a plurality of data processing devices (8), wherein each of the data processing devices (8) operates independently of each other (the external storage device 8 may be various PCs, PDAs or cellular telephones). Additionally, Takeshi states that the photography device (camera) and the remote data processing devices have identification information (ID numbers) unique to the devices in order to certify a connection partner before transmitting or receiving image data to prevent transmitting image data to a wrong transmission partner (page 4, paragraph 51). Thus, it can be seen that the digital camera is capable of transmitting information to a plurality of data processing devices (8). However, although the Takeshi reference discloses all of the above limitations it

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fails to specifically state that the portable data processing device encodes and performs image processing on the image data transmitted from the camera and it also fails to specifically state that the identification information unique to the photography device is transmitted to the portable data processing device in association with the acquired image information.

Cohen discloses a photography system including a photography device (10) and a portable data processing device (100) for receiving and storing images captured by the photography device (10) (page 3, paragraph 39- page 4, paragraph 45). Cohen states that the portable data processing device (100) is formed separately from the photography device (10) and is capable of encoding (the digitized data stored in the DDTS device 100 is converted into an appropriate form for further transmission and is compressed for storage) and storing the image information acquired by the photography device (10) (page 3, paragraph 39-page 4, paragraph 45; page 6, paragraphs 65 and 70). Therefore, it would have been obvious for one skilled in the art to have been motivated to perform image processing and encoding techniques as disclosed by Cohen in the data processing device of the photography system disclosed by Takeshi. Doing so would provide a means for performing image processing on an image transmitted to a remote device in order to adjust the image quality or prepare the image data for storage or further transmission. However, although the combination of the Takeshi and Cohen references discloses all of the above limitations and Takeshi discloses that the photography device has identification information unique to the photography device, the combination fails to specifically state that the portable data



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processing device encodes and performs image processing on the image data transmitted from the camera and it also fails to specifically state that the identification information unique to the photography device is transmitted to the portable data processing device in association with the acquired image information.

Sato discloses a digital camera (1) that is capable of wirelessly transmitting image data to a photo service center (7). Sato states that each digital camera (1) includes an identification code (ID) for identifying the camera and further states that the digital camera (1) generates an image file by attaching data including the identification code (ID) to the image data and then transmits the image file to the photo service center (7) (page 1, paragraph 21-page 2, paragraph 24). Therefore, it would have been obvious for one skilled in the art to have been motivated to enable the camera disclosed by the combination of the Takeshi and Cohen references to transmit identification information unique to the camera in association with acquired information as disclosed by the Sato reference. Doing so would provide a means for easily identifying a camera that captured an image that is stored at a remote location.

Re claims 3-4, Takeshi discloses a photography system comprising: a photography device (electronic pickup camera) for taking photographs of photographic objects and acquiring image information (page 3, paragraphs 38-40; figure 1); and a portable data processing device (8) formed separately from the photography device (camera) for storing image information acquired by the photography device (camera), wherein the photography device (camera) includes image information transmission

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means (6) that directly transmits acquired image information to the data processing device directly (information is transmitted to communication unit 9 of PDA 8); and the image information transmission means (6) transmits the image information to a plurality of data processing devices (8), wherein each of the data processing devices (8) operates independently of each other (the external storage device 8 may be various PCs, PDAs or cellular telephones). Additionally, Takeshi states that the photography device (camera) has identification information (ID numbers) unique to the photography device (camera) (page 4, paragraph 51). However, although the Takeshi reference discloses all of the above limitations it fails to specifically state that the portable data processing device receives image information from a plurality of photography device and encodes and performs image processing on image data transmitted from the plurality of photography devices and it also fails to specifically state that the identification information unique to the photography device is transmitted to the portable data processing device in association with the acquired image information.

Cohen discloses a photography system including a photography device (10) and a portable data processing device (100) for receiving and storing images captured by the photography device (10) (page 3, paragraph 39- page 4, paragraph 45). Cohen states that the portable data processing device (100) is formed separately from the photography device (10) and is capable of encoding (the digitized data stored in the DDTS device 100 is converted into an appropriate form for further transmission and is compressed for storage) and storing the image information acquired by the photography device (10) (page 3, paragraph 39-page 4, paragraph 45; page 6, paragraphs 65 and

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70). Additionally, Cohen states that the data processing device (100) may receive image information from a plurality of photography devices (10) (page 5, paragraph 59). The Examiner maintains that the plurality of photography devices (10) that are capable of being controlled by the data processing device (100) disclosed by Cohen are photography devices (10) that operate independently of each other because each of the plurality of cameras corresponds to a specific user ID and each of the plurality of cameras is capable of capturing its own digital images. Therefore, it would have been obvious for one skilled in the art to have been motivated to receive image information from a plurality of photography devices and perform image processing and encoding techniques as disclosed by Cohen in the data processing device of the photography system disclosed by Takeshi. Doing so would provide a means for performing image processing on an image transmitted to a remote device from multiple camera devices in order to adjust the image quality or prepare the image data for storage or further transmission. However, although the combination of the Takeshi and Cohen references discloses all of the above limitations and Takeshi discloses that the photography device has identification information unique to the photography device, the combination fails to specifically state that the portable data processing device encodes and performs image processing on the image data transmitted from the camera and it also fails to specifically state that the identification information unique to the photography device is transmitted to the portable data processing device in association with the acquired image information.

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Sato discloses a digital camera (1) that is capable of wirelessly transmitting image data to a photo service center (7). Sato states that each digital camera (1) includes an identification code (ID) for identifying the camera and further states that the digital camera (1) generates an image file by attaching data including the identification code (ID) to the image data and then transmits the image file to the photo service center (7) (page 1, paragraph 21-page 2, paragraph 24). Therefore, it would have been obvious for one skilled in the art to have been motivated to enable the camera disclosed by the combination of the Takeshi and Cohen references to transmit identification information unique to the camera in association with acquired information as disclosed by the Sato reference. Doing so would provide a means for easily identifying a camera that captured an image that is stored at a remote location.

Re claims 5-7, Cohen further states that the data processing device (100) classifies the encoded image information (user identifier process is used as a mechanism for transmitting information that can be used to localize the image data in a predefined server storage location or data folder) for each piece of the identification information and stores the classified encoded image information in the storage means (180) (page 6, paragraphs 67 and 70).

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Re claim 9, Cohen states that the image processing means has a function to encrypt the image information and stored the encrypted image information in the storage means (180) (page 4, paragraph 52).

Re claim 10, Cohen states that the data processing device (100) has a data transmission means (122 a, 122b) for transmitting data to an external device (server) (page 4, paragraph 45 and page 5, paragraph 62).

Re claim 11, Cohen states that the photography device (10) may be pre-located in order to capture images of tourists passing through a certain location (page 5, paragraph 58).

Re claims 12-13, Sato states that a digital camera (1) generates an image file by attaching data including the identification code (ID) to the image data and then transmits the image file to the photo service center (7) (page 1, paragraph 21-page 2, paragraph 24).

Re claim 14, Sato states that identification information (ID) is concurrently transmitted in association with acquired image information to a plurality of data processing devices (base stations 2) (page 2, paragraphs 24-28; figures 1-2).

Re claim 15, Cohen states that the data processing device (100) is programmable to add photography devices (10) to the plurality of photography devices (10) or delete photography devices (10) from the plurality of photography devices (10) from which the image information is received (data processing device 100 may be used to trigger more than one camera 10) (page 5, paragraph 59).

**Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Takeshi in view of Cohen et al. in view of Sato and further in view of Dutta US 2003/0076408.**

Re claim 8, the combination of Takeshi, Cohen and Sato discloses all of the limitations of claim 5 above. However, although Takeshi discloses a portable image data processing means (8) it fails to specifically state that the image data processing means (100) has correction conditions for correcting the image information for each of a plurality of sets of photography devices.

Dutta discloses a handheld camera that captures images and transmits them to a processing engine. Dutta states that images captured by the handheld camera device (204) are transferred to the processing engine (304) and the processing engine (304) processes the images to correct their relative distortions (pages 3-4, paragraph 29). Therefore, it would have been obvious for one skilled in the art to have been motivated to include the teaching of remotely processing images to correct relative distortions as disclosed by Dutta in the remote image data processing means disclosed by the

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combination of Takeshi, Sato and Cohen. Doing so would provide a means for remotely correcting image signals in order to create a complete and reconstructed image of an object (Dutta; Page 1, paragraph 6).

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

### ***Contacts***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kelly L. Jerabek whose telephone number is **(571) 272-7312**. The examiner can normally be reached on Monday - Friday (8:00 AM - 5:00 PM).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Chan can be reached at **(571) 272-3022**. The fax phone number for submitting all Official communications is **(571) 273-7300**. The fax phone number for submitting informal communications such as drafts, proposed amendments, etc., may be faxed directly to the Examiner at (571) 273-7312.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Kelly L. Jerabek/

Examiner, Art Unit 2622

/James M Hannett/

Primary Examiner, Art Unit 2622